

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 09-cv-01419-REB-BNB

JAMES R. HEFFLIN,

Plaintiff,

v.

SLEETER DOVER, Executive Director, Wyoming State Bar,

Defendant.

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**ORDER ADOPTING RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE**

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**Blackburn, J.**

The matter before me is the **Recommendation of United States Magistrate Judge** [#12] filed December 2, 2009. No objections having been filed to the recommendation, I review it only for plain error. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10<sup>th</sup> Cir. 2005).<sup>1</sup> Finding no such error in the magistrate judge's recommended disposition, I find and conclude that the recommendation should be approved and adopted.<sup>2</sup>

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Recommendation of United States Magistrate Judge** [#12] filed December 2, 2009, is **APPROVED AND ADOPTED** as an order of this court;

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<sup>1</sup> This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122.


<sup>2</sup> In addition to the lack of venue in this district noted by the magistrate judge, I perceive that plaintiff's case also could be dismissed for lack of personal jurisdiction over defendant in Colorado and/or because defendant is not plaintiff's "employer" as that term is defined by Title VII.

2. That **Defendant's Motion To Dismiss** [#5] filed July 20, 2009, is **GRANTED**;  
and

3. That plaintiff's claims against defendant are **DISMISSED WITHOUT  
PREJUDICE** for lack of venue in this district;.

Dated December 30, 2009, at Denver, Colorado.

**BY THE COURT:**

  
Robert E. Blackburn  
United States District Judge